

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

INNOVATION LAW LAB ET AL.

Plaintiffs,

v.

**KIRSTJEN NIELSEN, SECRETARY, U.S.
DEPARTMENT OF HOMELAND SECURITY, ET
AL.,**

Defendants.

Case No. 19-cv-00807-RS

**DECLARATION OF COUNTY OF
SANTA CLARA CHIEF OPERATING
OFFICER MIGUEL MÁRQUEZ IN
OPPOSITION TO DEFENDANTS'
MOTION TO TRANSFER VENUE**

Date:	To Be Set
Time:	1:30 p.m.
Dept:	3
Judge:	Honorable Richard Seeborg
Trial Date:	None set
Action Filed:	February 14, 2019

1 I, MIGUEL MÁRQUEZ, declare and state as follows:

2 1. I am the Chief Operating Officer of the County of Santa Clara (“County”), and a
3 resident of the State of California. I have personal knowledge of the facts set forth in this
4 declaration, and if called as a witness, I could and would testify to them competently under oath.

5 2. I have been the County of Santa Clara’s Chief Operating Officer since August
6 2016. In this capacity, I supervise and oversee the County’s operations. From 2012 to 2016, I
7 served as an Associate Justice on California’s Sixth District Court of Appeal. For three years
8 before my appointment to the Court of Appeal, I served as the County Counsel and Acting
9 County Counsel of the County of Santa Clara. In this capacity, I advised the County’s Board of
10 Supervisors, the County’s executive management team, and staff throughout the County
11 organization on a broad range of legal issues, including issues involving finance, local
12 governance, and local policy. Before coming to the County, I represented several other public
13 entities, including in governance, finance, and policy matters.

14 3. I have been privileged to serve in high-level roles at the County and other public
15 entities for nearly twenty years. I have a deep understanding of the County of Santa Clara’s
16 policies, structure, operations, and processes. I have been integrally involved in the development
17 and implementation of County policies and budget processes, including those relating to the
18 County’s support of community-based organizations (“CBOs”) that provide immigration-related
19 services to individuals and families living or working in the County.

20 4. The County, which is home to approximately 1.9 million people and is the sixth
21 most populous county in the state, provides extensive services and support to immigrants and
22 their families, including asylum-seekers and asylees. In December 2016, the County Board of
23 Supervisors initiated a program to significantly increase the County’s financial support to CBOs
24 that provide free and low-cost legal assistance to immigrants and their families, initially funding
25 18 CBOs operating in the County with an investment of approximately \$3.5 million in Fiscal
26 Year 2017-2018. The program funds affirmative legal services, removal defense for detained and
27 non-detained immigrants, “Know Your Rights” education and outreach services, and pro bono

1 coordination services. The funding is earmarked specifically for services to individuals and
2 families who live and/or work in the County, and whose legal matters can be supported by CBOs
3 located here. The CBOs providing legal services as part of this funding program help local
4 residents with a range of immigration-related issues, such as providing removal defense; applying
5 for asylum, family visas, employment authorizations, removal of conditional status, relief from
6 removal and permanent residency under the Violence Against Women Act, visas for victims of
7 domestic violence, and adjustment of status to permanent residency leading to a path to
8 citizenship; and assisting with other forms of immigration relief. For Fiscal Year 2018-2019, the
9 County's support for a variety of local services that support immigrants in the County amounted
10 to nearly \$5.5 million.

11 8. Through separate programming that began a few years prior, the County also
12 provides funds to local nonprofits to create awareness of and assist individuals with applications
13 and renewals for the Deferred Action for Childhood Arrivals ("DACA") program, and to provide
14 legal services for immigration cases and proceedings involving unaccompanied minors and
15 families with children.

16 9. The County created these programs to ensure that refugees, asylum-seekers and
17 asylees, victims of domestic violence, victims of human trafficking, LGBTQ individuals, indigent
18 clients, and other vulnerable populations have access to legal services. The County strongly
19 supports the constitutional right to due process of law in immigration proceedings, and believes
20 that providing local funding for immigration-related legal services helps bolster that right for the
21 members of our local community. The County's goal is also to ensure that CBOs can serve the
22 broadest, most diverse set of individuals living or working in the County who are in need of legal
23 representation and education services, including clients in geographically remote areas and
24 smaller, less-well-served immigrant groups.

25 10. The County budget process requires the Board of Supervisors and the County's
26 Administration to plan well in advance for significant programs like these. If the CBOs'

1 operations and ability to serve asylum-seekers residing and/or working in our community were
2 compromised, this would impact the County's priorities and ability to make funding decisions.

3 11. The County also provides many other essential services to immigrants and their
4 families, such as law enforcement, health care services, housing and services to prevent
5 homelessness, care for the County's youth and elderly, emergency preparedness and response,
6 other social services, and community services through a dedicated Office of Immigrant Relations.
7 Many of the County's programs serve the County's neediest residents, including abused and/or
8 neglected children, abused and/or neglected elders, indigent and uninsured individuals requiring
9 health care, individuals who are mentally ill or substance dependent, and those who are physically
10 or mentally disabled. The County has a strong interest in ensuring that all of its residents,
11 including immigrants and their families, have access to the safety-net services and support needed
12 to build healthy, thriving communities.

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14 I declare under penalty of perjury under the laws of the State of California and the United
15 States that the foregoing is true and correct, and that this declaration was executed on March 4,
16 2019, in Santa Clara County, California.

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19 MIGUEL MÁRQUEZ
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